

MINUTES
MICHIGAN STATE TRANSPORTATION COMMISSION MEETING
April 29, 2004
Lansing, Michigan

Meeting noticed in accordance with Open Meetings Act, Public Act 267 of 1976.

Present: Ted Wahby, Chairman
 Betty Jean Awrey, Vice Chairwoman
 Robert Bender, Commissioner
 John Garside, Commissioner
 Linda Miller Atkinson, Commissioner
 Vincent J. Brennan, Commissioner

Also Present: Gloria J. Jeff, Director
 Kirk Steudle, Chief Deputy Director
 Frank E. Kelley, Commission Advisor
 Patricia A. Lockwood, SEAB Policy Director, Dept. of Agriculture
 Marneta Griffin, Executive Assistant
 Jerry Jones, Commission Auditor
 Patrick Isom, Assistant Attorney General
 Leon Hank, Chief Administrative Officer
 Larry Tibbits, Chief Operations Officer
 Myron Frierson, Jr., Contract Services
 John Friend, Bureau of Highway Delivery
 Ben Kohrman, Director, Office of Communications
 Alicia Evans Suber, Special Assistant to the Director
 Rob Abent, Multi-Modal Transportation
 Jackie Shinn, Economic Development
 Carmine Palombo, Transportation Asset Management
 Susan Mortel, Transportation Planning

A list of those people who attended the meeting is attached to the official minutes.

Chairman Wahby called the meeting to order at 9:00 a.m. in the Bureau of Aeronautics Auditorium in Lansing, Michigan.

Chairman Wahby welcomed the Commission Advisor, Frank E. Kelley, to the Commission. Chairman also acknowledged Patricia Lockwood and thanked her for the great job she did as Commission Advisor. Ms. Lockwood is now the Emerald Ash Borer Policy Director in the Department of Agriculture.

I. **COMMISSION BUSINESS**

Commission Minutes

Chairman entertained a motion for approval of the minutes of the State Transportation Commission meeting of March 25, 2004.

Moved by Commissioner Awrey, with support from Commissioner Bender, to approve the minutes of the Commission meeting of March 25, 2004. MOTION CARRIED.

The minutes from the Joint Transportation/Aeronautics Commission meeting of March 25, 2004 required no action.

II. **DIRECTOR'S REPORT – DIRECTOR GLORIA J. JEFF**

Director Jeff presented Patricia Lockwood with a letter of thanks for her commendable job as Commission Advisor, where she was instrumental in maintaining the linkage between the Commission and other segments of Team MDOT. Ms. Lockwood has also served as Chair of the Centennial Celebration Planning Committee.

Director Jeff gave a PowerPoint presentation regarding:

Transportation Safety Focus Areas

There are approximately 416,000 crashes per year. The National Association of State Highway and Transportation Officials (the 52 state departments of transportation, including the District of Columbia and Puerto Rico) have established a goal of one fatality per 100 million vehicle miles of travel by 2008. In Michigan for 2002 there were about 1.3 fatalities per 100 million vehicle miles, meaning we were saving more lives than they were at the national level, however any number greater than zero is too many. With the new goal, we hope to be able to save over 350 lives on an annual basis in the state of Michigan. This is not a goal merely for MDOT, but one where the cities and counties are included as part of the effort through the Governor's Traffic Safety Advisory Commission (GTSAC).

The safety focus areas include:

Crash Data Improvement—to pinpoint in a more timely fashion where the injury and fatality crashes are occurring. The data collected will be posted to a statewide database for use by MDOT, MSP, MDOS, and other state and local planning, transportation, and law enforcement agencies.

Intersection Safety Action Plan—to prioritize the causes and conditions of intersection crashes, identify crash countermeasures that can be taken to improve sight distances, signing and signalization. There is presently a task force in place to utilize the GTSAC. MDOT has set aside \$1 million in 2004 to fund local agency intersection safety projects. This plan will give guidance to local agencies (available on MDOT's Traffic and Safety Web site). The use of Roundabouts is also being evaluated.

The Director departed from her presentation to acknowledge the point-men for MDOT on these safety issues: Larry Tibbits (Chief Operations Officer), is the executive sponsor on safety, and John Friend (Bureau Director of Highway Delivery), will make things happen on a day-to-day basis.

Director Jeff continued in her report with the other areas of focus:

Roadway Departure Initiatives—Forty-eight percent of fatal crashes are due to roadway departures. Rumble strips provide early warning or “wake up” alert to distracted drivers. These have reduced drift-off crashes by 40%. A Grand Region Pilot Project involved painting the rumble strips so they are more visible at night, especially when the roadway is wet. There is no additional cost associated when done in conjunction with the initial rumble strips. Center rumble strips reduce cross-over, head-on crashes, as well as improving the night-time visibility of the centerline. In addition, Forgiving Roadside Hardware prevents crashes by providing “soft hardware” that will break-away when hit, allowing for a warning, but will not become a sphere into the vehicle when hit. The ends on guardrails provide an opportunity for some absorption before the vehicle continues after being hit.

Traffic Signal Improvements—These improvements involve increasing the size of the signal lenses to 12” and improving their placement to aid in visibility, and retiming these signals so that they are more reflective in many of the corridors of traffic flows that need to take place. Adding turn lanes and turn phases to prevent conflicts where motorists hurry to make their turn in front on the on-coming vehicle.

Highway Work Zones—Nationwide, 80% of fatalities in work zones are drivers and their passengers. In 2002, 17 people were killed in Michigan work zones. There have been 3 work zone crashes already this construction season.

Work Zone Safety—MDOT is working with the Michigan State Police to spend almost \$500,000 in overtime for State police and local law enforcement to provide a presence in the work zones. If motorists will not slow down out of care and consideration for others, they will have to pay via a ticket. This year, MDOT will host the ATSSA (American Traffic Safety Services Association) National Work Zone Memorial which recognizes lives lost in work zones. Twenty-seven names of people from Michigan are listed on the memorial which travels around the country. The memorial will be on display at the capitol news conference and later transported to the Clare Welcome Center where thousands of travelers can view it over the weekend. As part of work zone safety, every spring, MDOT sponsors the Give ‘em a Brake new conference to promote awareness for work zone safety. We need to remind people to slow down, drive carefully and pay attention. This year, the event takes place at the Capitol on Thursday, May 6th, beginning at 10:00 a.m.

ITS Strategic Plan—Intelligent Transportation Systems is the integrated application of advanced information, electronic, communication and other technologies to enable safe and efficient transportation operations. This plan also helps us support Governor Granholm’s program to grow Michigan’s economy by taking advantage of Michigan’s technological advances. MDOT is also working on vehicle infrastructure integration, which is an effort between the states’ departments of transportation, the automobile manufacturers, and the U.S. Department of Transportation. We will be able to increase

our ability to manage congestion, reduce crashes and severity of injuries, and to improve the flow of commerce by having vehicle to vehicle communication as well as vehicle to infrastructure, and vehicle to control centers. The on-board vehicle equipment will also provide us with data on where and why crashes are occurring so that we will be able to know if it is the physical engineering that needs to be changed, or if there is some additional educational enforcement matters that need to be addressed.

Federal Reauthorization Update

Reauthorization Proposals—There continues to be 3 proposals on the table. Both the House and Senate have passed their respective versions. What this means for Michigan, in terms of the Presidents' proposal is that we would see a slight increase of about \$167 million over the five years. Unfortunately, this represents a decline in total dollars in terms of what we really need. The Senate version is preferred for Michigan because it will help us address the needs we have as well as the flexibility that we need. The House would provide us with additional dollars, but also confines us in terms of the number of categories and does not let us be as nimble and responsive to transportation needs as we would like to be. This also would not move us to the 95% minimum equity. It leaves Michigan at the unacceptable 90.5% level. The Senate version would get us there by the end of the bill. It also includes most of its funding in a formula program—almost 93%. This is critically important because this sort of core program is the formula based program where we get the 95%. Under the House version, they would reduce the core program so that there would only be about 84% of all the available funding. This would leave us in a position where we lose our ability to be flexible and responsive to the transportation needs of the state. Some of the projects on our five-year program would have to be reworked, and in some cases possibly eliminated for lack of available funding because of the categories in which funding would have to be spent. We will not have the specifics until the conference committee meets and a final version of the bill is taken forward.

What's Next?—Since each chamber has passed a version of the bill and there are substantial differences between the two, it will go to conference committee. These meetings have not yet been set, however we can use the TEA21 Conference as a model, which took about 10 weeks. The current extension ends on Friday, April 30, 2004. Another short term extension is likely, probably to the end of June, possibly until after the November election. If we don't get an extension, MDOT can finish the FY '04 program with bonding, but local agencies could find themselves running out of money.

Director asked for questions; none were forthcoming.

A copy of the presentation is attached.

III. **OVERSIGHT**

Commission/State Administrative Board Contracts/Agreements (Exhibit A) – Myron Frierson

Mr. Frierson asked if any member of the Commission had questions on the contracts before them for their approval.

None were forthcoming.

Mr. Frierson asked for approval of Exhibit A

Chairman Wahby entertained a motion. Motion was made by Commissioner Bender, supported by Commissioner Garside to approve Exhibit A. Motion carried.

Bid Letting Pre-Approvals (Exhibit A-1) – Myron Frierson

Prior to asking for approval, Mr. Frierson gave an update of the bid letting thus far in FY '04. As of the April 2nd letting, we had 15 state jobs that totaled about \$36 million in comparison to the previous year where we had 48 state jobs. In the \$36 million, and of those 15 state jobs, there were 2 large projects--\$14.9 million (a bridge project at M-59 and Adams Road), and a road project on I-96 between Wixom and Taft Road. In terms of the status of our program so far this fiscal year, we estimate approximately \$700 million in construction lettings for the state program; so far we have let \$452 million (about 65% of our program, which is comparable in terms of percent of program, to the previous year; however dollars are less).

Mr. Frierson further reported that each month appears to be setting another record for electronic bidding. Last month 97% of the bids were received electronically. The competition appears to be good. We averaged between 4 and 5 bidders per project, and the announced low bids ranged between almost 7% to 14% below the engineers' estimate.

Mr. Frierson asked the Commission for approval of the bid items for the May 7th letting in Exhibit A-1.

Chairman Wahby asked for questions from the Commission; none were forthcoming.

Chairman Wahby entertained a motion. Motion was made by Commissioner Awrey to pre-approve the May 7th bid letting. Motion supported by Commissioner Bender and carried on a unanimous voice vote.

Letting Exceptions Agenda (Exhibit A-2) – John Polasek

Mr. Polasek reported on one item with a single bidder, local project, that is 18% under the engineers' estimate. He then asked the Commission for approval of Exhibit A-2.

Commissioner Garside asked why there was only one bidder.

Mr. Polasek stated that he was unsure. There were 2 bidders that took plans out, but only one made a bid. This is a small milling hot mix project in the city of Kalamazoo.

No other questions were forthcoming.

Chairman Wahby entertained a motion. Motion was made by Commissioner Garside to approve Exhibit A-2. Motion supported by Commissioner Awrey and carried on a unanimous voice vote.

Contract Adjustments (Exhibit B) – John Friend

Mr. Friend acknowledged and thanked an MDOT employee, Mr. Jack Benac, Project Manager on the Crash Process Redesign. With Mr. Benacs' help, we are on the brink of being able to provide real-time crash data to departments of transportation as well as cities, counties and municipalities.

Mr. Friend reported on 8 projects, making special note of Extra #24 (state projects), which is a project on I-75 in Genesee County. This is asking the Commission for roughly \$6 million in additional approval. The job was bid at approximately \$33.5 million; construction costs are approximately \$40 million. This represents about 19% overrun, Mr. Friend stated it was significant enough to mention. Mr. Friend went on to say that a better effort could have been made by the department. Looking at the extras and overruns associated with this job, it is not any one thing, but a number of items, that led to this. Some things in the design and construction process could have been better. Mr. Friend assured the Commission that a very in-depth post-construction review on this project. He will bring the designers and construction personnel together to talk about the quality appliance and quality of construction administration.

Mr. Friend asked for questions.

Commissioner Brennan asked for clarification on what appears to be the switch between reinforced versus non-reinforced concrete on this job.

Mr. Friend explained that there have always been two schools' of thought—should you put the reinforcement in or not. Michigan is one of the last states to require this as a standard. The contracting industry has thought for some time that non-reinforced concrete pavement was the way to go. Mr. Friend further explained that on this particular job the contractor offered some additional guarantees for us to switch from a reinforced concrete pavement to non-reinforced. After a lot of internal debate within MDOT, we agreed to make that switch. Even though there is a large extra, or off-set, for concrete pavement, non-reinforced, because we added that in on one hand, we deleted the concrete reinforced on the other hand, it looks like a big number. But, in terms of overall dollars it was not that big. Mr. Friend stated that he believes the department will, in the near future, move to a standard that is a non-reinforced standard.

Commissioner Brennan asked, under contract modification number CM 32 r.5, if that amount was reflective of the change from reinforced to un-reinforced? Further, if what has happened is that the numbers for the cost of the reinforcement has been zeroed out, adding the non-reinforced, then netting the two?

Mr. Friend replied that on this particular item this is true. What the department is asking for is roughly \$5 million in additional money because there are other items. This has to be shown as an extra to the contract because they zero out the existing contract item.

Commissioner Awrey thanked Mr. Friend for his explanation because she had the same concerns.

Mr. Friend asked the Commission for approval of Exhibit B.

Chairman Wahby entertained a motion for the approval of Exhibit B. Motion was made by Commissioner Awrey and supported by Commissioner Brennan to approve Exhibit B. The motion carried on a unanimous voice vote.

Six Month Financial Audit Follow-up Report (Exhibit C) – Jerry Jones

Mr. Jones gave his report on both Exhibits C and D prior to any action being taken.

Mr. Jones stated that this report provides the details on audits that have been outstanding over 120 days since being issued. It also reflects the status of the departments' current progress in closing those audits out. The report shows that the department is working toward that goal.

Six Month Internal Audit Follow-up (Exhibit D) – Jerry Jones

Mr. Jones stated that this report reflects the status of the departments' actions to implement the internal recommendations. In this report another audit has been closed out, leaving three audit reports outstanding. Mr. Jones pointed out that the departments' current responses regarding the implementation of the recommendations are noted in the documentation along with any comments his office may have had regarding those responses.

Mr. Jones then called on Commissioner Awrey for her response.

Commissioner Awrey stated that she has reviewed the audit follow-up reports and discussed them with the Commission Auditor, and moved to accept the reports in Exhibits C and D.

Chairman Wahby asked for support. Support was given by Commissioner Bender. Motion carried on a unanimous voice vote.

IV. **PRESENTATIONS**

Asset Management Council Report – Carmine Palombo, Chairman

Mr. Palombo reminded the Commission that the TAMC had been in the process of holding meetings around the state with those that are instrumental in the Councils' data collections efforts. They have completed their meetings; over 100 individuals attended. As a result of the information gleaned, TAMC is in the process of revising their data collection process for this upcoming year. They intend to begin collecting data again on their 43,000 mile system sometime in June or July. Changes have been made based upon information from those in the field directly collecting the data. Mr. Palombo stated that the biggest change will be the use of MDOTs regional and TSC staff working along with the county road commission and city personnel, instead of contract personnel used in the year previous.

Mr. Palombo reported that when the Council's 2005 budget went to the State Legislature, the House Appropriations Committee recommended that it be cut by \$325,000. It was also felt that there wasn't a need for three people in the vehicle doing the data collection. The Council was able to have several of the Committee members ride-along to observe and gain a clearer explanation of the process. Subsequently, the Committee reversed their decision and redirected the \$325,000 back into the Council budget.

The education component of the Council program continues to be very important. Mr. Palombo reported that the Council hosted a National Highway Institute course on asset management at the end of April where 36 individuals from across the state attended.

Mr. Palombo also submitted the Council's 2003 Annual Report. They are required by law to submit this report by May 2nd of each year. They are in the process of submitting this annual report to the State Legislature.

Mr. Palombo indicated that there was no action necessary on this report, but if the Commission members had questions to contact the Staff Coordinator for the Council, Rick Lilly.

Asset Management Council 2004-2006 Work Program – Carmine Palombo

Mr. Palombo stated that the Council approved this Work Program at their April 2003 meeting. He pointed out that the tasks listed will be their focus for the next two years in order to do the things required of them by law, and to continue the education of this program and its benefits throughout the state. Mr. Palombo asked the Commission for their approval of the 2004-2006 Work Program.

Commissioner Brennan asked what PASER Methodology is.

Mr. Palombo explained that it is the program they are using to collect data. It is a windshield survey, data collection methodology (process) used to rank the 43,000 federally eligible miles of pavement.

No other questions were forthcoming.

Chairman Wahby entertained a motion. Motion was made by Commissioner Bender to approve the Asset Management Council 2004-2006 Work Program. Motion supported by Commissioner Awrey and carried on a unanimous voice vote.

V. **PUBLIC COMMENTS**

Chairman Wahby asked if anyone wanted to address the Commission with public comments.

None were forthcoming.

Chairman Wahby asked if any Commission members had comments; none were forthcoming.

Chairman Wahby reminded the Commission members to inform the Commission Advisor if they were not going to be in attendance for the May meeting.

Director Jeff invited all of the members of the Transportation Commission to attend the National WTS (Women's Transportation Seminar) beginning May 26th in Detroit at the Marriott Renaissance Center. The opening reception will be that evening at 6:00 p.m.

ADJOURNMENT

There being no further business to come before the Commission, the Chairman declared the meeting adjourned at 9:45 a.m.

The next full meeting of the Michigan State Transportation Commission will be held in Lansing, Michigan, on May 27, 2004, commencing at the hour of 9:00 a.m.

Frank E. Kelley
Commission Advisor